

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CARIE FRANCISCO,

Plaintiff,

v.

UNITED STATES SEAFOODS, LLC, *et al.*,

Defendants.

No. C06-885RSL

ORDER REFERRING MOTION FOR  
ENTRY OF DEFAULT, ORDER  
DENYING MOTION FOR DEFAULT  
JUDGMENT, AND ORDER SEALING  
EXHIBIT

This matter comes before the Court on plaintiff's "Motion for Entry of Default" (Dkt. #54). In his motion, plaintiff requests the Clerk of Court to enter both default and default judgment. See Dkt. #54 ("Plaintiff requests the Clerk of Court to enter Order and Judgment of default against Defendant Jason A. Jack-Nelson based on his non-appearance in the above action after the passage of more than five (5) months since personal service upon him."). Under Fed. R. Civ. P. 55(b)(1), the Clerk of Court may enter default judgment:

When the plaintiff's claim against a defendant is for a sum certain or for a sum which can by computation be made certain, the clerk upon request of the plaintiff and upon affidavit of the amount due shall enter judgment for that amount and costs against the defendant, if the defendant has been defaulted for failure to appear and is not an infant or incompetent person.

Here, plaintiff simultaneously moved for both default and default judgment. However, the Clerk of Court has not entered default against defendant Jason A. Jack-Nelson and plaintiff

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1 has failed to establish that his claim against defendant Jason A. Jack-Nelson is for a sum certain  
2 or for a sum which can by computation be made certain. Therefore, the Court REFERS  
3 plaintiff's Motion for Entry of Default (Dkt. #54) to the Clerk of Court. The Court DENIES  
4 plaintiff's motion to the extent it requests entry of default judgment because default has not been  
5 entered against defendant Jason A. Jack-Nelson and plaintiff has failed to show that his claim  
6 can be made certain.

7 In the Court's May 29, 2003 General Order regarding "Public Access to Electronic Case  
8 Files," the Court ordered that parties redact "personal data identifiers from all pleadings filed  
9 with the court, including exhibits thereto." Personal data identifiers include: social security  
10 numbers, names of minor children, dates of birth, and financial account numbers. Id. As part of  
11 plaintiff's Motion for Entry of Default, he included an exhibit that contains defendant Jason A.  
12 Jack-Nelson's personal data identifiers. See Dkt. #54, Exhibit 3. Accordingly, the Court  
13 SEALS Exhibit 3 of Dkt. #54. Plaintiff is ordered to re-file a version of Exhibit 3 redacting all  
14 data identifiers in accordance with the Court's May 29, 2003 General Order.

15 DATED this 2nd day of November, 2007.

17 

18 Robert S. Lasnik  
19 United States District Judge